

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ROBIN SICHER,	:	
	:	
Plaintiff,	:	Case No. 3:23-cv-00492-RDM
	:	
v.	:	
	:	
LVNV FUNDING, LLC,	:	
	:	
Defendant.	:	

**DEFENDANT LVNV FUNDING, LLC’S ANSWER AND AFFIRMATIVE
DEFENSES TO PLAINTIFF’S COMPLAINT**

Defendant LVNV Funding, LLC (“LVNV”) respectfully answers Plaintiff’s Complaint as follows:

INTRODUCTION

1. Admitted in part; denied in part. LVNV admits that Plaintiff brings claims under the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692, *et seq.* LVNV denies all remaining allegations in ¶ 1 of the Complaint.

PARTIES

2. LVNV denies the allegations in ¶ 2 of the Complaint for lack of knowledge or information sufficient to form a reasonable belief therein.

3. LVNV denies the allegations in ¶ 3 of the Complaint for lack of knowledge or information sufficient to form a reasonable belief therein.

4. LVNV denies the allegations in ¶ 4 of the Complaint.

5. LVNV denies the allegations in ¶ 5 of the Complaint.

STATEMENT OF CLAIM

6. LVNV incorporates its foregoing responses as if fully restated and set forth herein.

7. Admitted in part; denied in part. LVNV admits only the accuracy of any properly quoted language from the referred to provision. LVNV denies all remaining allegations in ¶ 7 of the Complaint.

8. Admitted in part; denied in part. LVNV admits only the accuracy of any properly quoted language from the referred to provision. LVNV denies all remaining allegations in ¶ 8 of the Complaint.

9. LVNV denies the allegations in ¶ 9 of the Complaint.

10. LVNV denies the allegations in ¶ 10 of the Complaint for lack of knowledge or information sufficient to form a reasonable belief therein.

11. LVNV admits the allegations in ¶ 11 of the Complaint.

12. LVNV denies the allegations in ¶ 12 of the Complaint.

13. LVNV denies the allegations in ¶ 13 of the Complaint.

14. LVNV denies the allegations in ¶ 14 of the Complaint for lack of knowledge or information sufficient to form a reasonable belief therein.

15. LVNV denies the allegations in ¶ 15 of the Complaint.

16. LVNV denies the allegations in ¶ 16 of the Complaint.

17. LVNV denies the allegations in ¶ 17 of the Complaint.

18. LVNV denies the allegations in ¶ 18 of the Complaint for lack of knowledge or information sufficient to form a reasonable belief therein.

19. LVNV denies the allegations in ¶ 19 of the Complaint.

LVNV denies that Plaintiff is entitled to any of the relief requested in the paragraph beginning with “WHEREFORE.”

20. LVNV admits that Plaintiff demands a jury trial.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

Plaintiff’s claims are barred by the statute of limitations.

WHEREFORE, Defendant LVNV Funding, LLC respectfully requests that this Honorable Court enter judgment in its favor and against Plaintiff; dismiss Plaintiff’s Complaint with prejudice; and further award all such other relief as is just and appropriate.

Respectfully submitted,

MESSER STRICKLER BURNETTE, LTD.

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Counsel for Defendant LVNV Funding, LLC

Dated: March 31, 2023

CERTIFICATE OF SERVICE

I certify that on March 31, 2023, a true copy of the foregoing document was served on all unrepresented parties and counsel of record via electronic service.

MESSER STRICKLER BURNETTE, LTD.

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Dated: March 31, 2023